

INTELLECTUAL PROPERTY POLICY

Purpose

Protek owns controls and manages all intellectual property (IP) that it has created or acquired.

All stakeholders have a responsibility to properly identify, attribute, and preserve the IP of the company. It should be managed professionally, protected and shared appropriately.

Scope

This policy applies to all Protek Directors, Management and Employees. This policy also applies to contractors, sub-contractors, vendors, service providers, agents, consultants, visitors and guests as applicable.

For the purposes of this policy, intellectual property refers to what our minds create that is then put into material form (ie: written down, drawn, photographed, composed, broadcast, performed, designed, and invented).

IP rights are protected in a variety of ways, some of which are automatic upon creation e.g.: copyright, and some that are registrable e.g. trade-marks and patents. The main types of IP rights at Protek are copyright, website content, multimedia, educational management systems, registered and unregistered trademarks, brand names, logos, tag lines, insignia as well as confidential information.

Policy

Protek employees must protect Protek's intellectual property from falling into unauthorised hands or being disclosed to other parties without its knowledge or permission. Employees must keep all intellectual property secure and not access, copy, or disclose to anyone without proper authority.

Employees must not misuse confidential information or intellectual property, and must maintain the integrity and security of any Company documents or information for which they are responsible.

All inventions, discoveries and improvements, including software, which may be conceived or made by the employee (whether alone or not) during the period of employment, developed in Company time or which is or maybe related to the Company's business will remain the property of Protek. For this purpose:

- The employee will assign to the Company:
 - All inventions, discoveries and novel designs, whether or not registrable as designs under the Designs Act 2003, patents under the Patents Act 1990 and trademarks under the Trade Marks Act 1995; and
 - The entire copyright in all works, including but not limited to all literary and other works as defined in the Copyright Act 1968 whether created by the employee as a result of and in the course of their employment, either solely or jointly with others.
- An assignment under clause (a) will not restrict the employee's right to utilise the general expertise and knowledge accumulated by the employee in the performance of their services and the employee is entitled to use routine procedures developed by the employee in the performance of those services, but the employee may not make reproduction or substantial reproduction of any of the intellectual property assigned without the written licence of the Company.
- Where the employee makes any patentable process or article as a result of and in the course of the performance of their services, the patent will be owned by the Company.
- The employee is not to disclose or use without authorisation the intellectual property of the Company including: the exclusive right to use trademark(s), service mark(s), business plan(s), software copyrights, teaching materials, and research reports of special projects, miscellaneous copyright and all other intellectual property, which belongs to the Company according to the law.

- If there are any doubts about any issue relating to intellectual property or confidential information, consult the HR representative. The Company considers failure to comply with the terms of this policy as a fundamental breach of the employment, which may lead to termination.

Further, during or after the employment, an employee will at the request of the Protek:

- do anything necessary, including executing any documents, to assign or transfer any rights to any such Intellectual Property to Protek or any other person that Protek may nominate; and
- at Protek's expense take any or all steps necessary to protect or allow Protek to protect or exploit any such Intellectual Property.

Disclosure

The employee must disclose all Intellectual Property to the employer immediately upon its being made or developed. All Intellectual Property will vest in Protek immediately upon its creation.

Documents

All Documents created by the employee pursuant or incidental to the employee's employment (including all copies thereof, whether or not made by the employee) will be owned by the Company. The employee will, on demand by Protek, deliver Protek all such Documents within their possession, power, custody or control.

Moral Rights

The employee will consent to Protek or its nominee doing or omitting to do any act, which would otherwise constitute an infringement of the employee's moral rights in any Intellectual Property created by or contributed to by the employee pursuant or incidental to the employee's employment by Protek including, but not limited to:

- Exercising an exclusive right without attributing authorship to the employee;
- Commercialising Intellectual Property without attributing authorship to the employee; or
- Subjecting any Intellectual Property to derogatory treatment.

Disciplinary Action

Disciplinary action up to and including termination of employment/services may result from any breach of this policy.

Related Documents

- IT Policy (POL-011)

Authorised By

Signed *Tarrsha Watkins*

Managing Director

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V1.0	29/09/2017	Tarrsha Watkins
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